

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DEVON TERRELL ABNEY,

Plaintiff,

Case No. 2:22-cv-11176

v.

Honorable Susan K. DeClercq  
United States District Judge

ALAA ALI and JOHN DOE,

Defendants.

Honorable David R. Grand  
United States Magistrate Judge

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**ORDER ADOPTING REPORT AND RECOMMENDATION (ECF No. 63)  
AND GRANTING DEFENDANT ALI'S MOTION FOR SUMMARY  
JUDGMENT (ECF No. 56)**

On January 29, 2025, Magistrate Judge David R. Grand issued a report recommending that this Court grant Defendant Alaa Ali's Motion for Summary Judgment.<sup>1</sup> ECF No. 63. Judge Grand provided 14 days for objections to be filed, but no party filed objections. They have therefore forfeited their right to appeal Judge Grand's findings. *See Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). Moreover, there is no prejudicial clear error in the report.

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<sup>1</sup> Also on January 29, 2025, Judge Grand issued an Order directing Plaintiff Devon Terrell Abney to file proper proof of service on the only remaining defendant, John Doe, on or before February 28, 2025. ECF No. 64. Judge Grand further cautioned Plaintiff that if he does not file such proof of service, his claims against John Doe may be dismissed for failure to prosecute. *Id.* at PageID.663.

Accordingly, it is **ORDERED** that the Report and Recommendation, ECF No. 63, is **ADOPTED**.

Further, it is **ORDERED** that Defendant's Motion to Dismiss, ECF No. 56, is **GRANTED**.

**This is not a final order and does not close the above-captioned case.**

/s/Susan K. DeClercq  
SUSAN K. DeCLERCQ  
United States District Judge

Dated: February 20, 2025